EXHIBIT E

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA

CIVIL ACTION NO. 7:21-CV-00017

LAMARR ANDRE MCDOW,

Plaintiff,

V.

FONTELLA MARIE HOLMES,

Defendant.

DECLARATION OF FONTELLA MARIE HOLMES

- I, Fontella Marie Holmes, depose and say under penalties of perjury that:
- 1. I am over the age of eighteen, have no legal disabilities, and have personal knowledge of the facts and information contained herein.
- 2. I am a citizen and resident of the State of Washington and am competent to testify in this matter.
- 3. In November of 2020, I flew to Wilmington, North Carolina from the airport in Seattle, Washington to attend a hearing in the Small Claims Court of Brunswick County, for which I served as a witness.
- 4. On or about December 7, 2020, I boarded a plan in Wilmington, North Carolina and flew back to the airport in Seattle, Washington to return to my home in the State of Washington.¹
- I have remained in the State of Washington since my return on or about December
 2020.²
- 6. It has come to my attention that an Affidavit of Service has been filed claiming that I was personally served with a copy of the Summons and Complaint in Brunswick County Superior Court Case No. 20-CVS-1571 on December 11, 2020 in Shallotte, North Carolina.
- 7. I was not in Shallotte, North Carolina on December 11, 2020; rather, I was in the State of Washington.
- I was not served with a copy of the Summons and Complaint on December 11, 2020
 in Shallotte, North Carolina.

Exhibit B.

¹ A true and accurate redacted copy of my flight itinerary has been attached hereto as **Exhibit A**.
² A true and accurate redacted copy of my Wells Fargo Bank Statement, which shows that I made numerous purchases at locations in Washington State on December 11, 2020 is attached hereto as

- 9. I have not been served with a copy of the Summons or Complaint related to this matter at any time as of the date of this Declaration, whether in this case or the state-court case.
- 10. Karen Lee McNeill, who resides with my father at 505 Highlands Glen Drive, Shallotte, North Carolina, 28470 was provided with a copy of the Summons and Complaint in this matter on December 11, 2020.
- 11. Ms. McNeill is not authorized to accept service of legal documents or process on my behalf, and I do not reside with her or my father at the address above.
- 12. I do not reside in the State of North Carolina and have not resided in the State of North Carolina since at least 2018.
 - 13. I am a permanent resident of the State of Washington and have been since 2018.
 - 14. I have a Washington driver's license.

I declare under penalty of perjury that the foregoing is true and correct.

- Signature Page Follows -

I make this Declaration the ______ day of February, 2021.

Fontella Marie Holmes
Fontella Marie Holmes

EXHIBIT A

MON, DEC 07, 2020
WILMINGTON, NC (ILM) TO ATLANTA, GA (ATL) TO SEATTLE, WA (SEA)
TICKET # 71197

2,681	2	\$527	2,635	2,108	+4,743			200		\$78	390	312		312	71197		MILEAGE EARNED BASED ON TICKET PRICE				2,181		\$449	2,245
MQMs >	MQSs >	MQDs >	BASE MILES	BONUS MILES	TOTAL MILES	DEC 07, 2020	DL4990; ILM • ATL Posted Dec 07, 2020	MQMs >	MQSs >	MQDs >	BASE MILES	BONUS MILES Delta Air Lines Platinum Medallion Bonus	Bonus MQM	Bonus Miles	TICKET NUMBER	FARE CLASS PAID/FLOWN >	REWARD METHOD	DEC 07, 2020	DL0337: ATL • SEA	Posted Dec 08, 2020	MQMs >	MQSs >	MQDs >	BASE MILES

All damaged, defective or recalled lithium batteries, including lithium powered self-balancing transportation devices are not permitted as carry-on or checked baggage.

Spare batteries for other devices, fuel cells, and e-cigarettes are permitted in carry-on baggage only. If your carry-on bag contains these items and is gate checked, they must be removed and carried in the cabin. Further information and specific guidelines regarding restricted items can be found here.

Passenger Info

Name: FONTELLA HOLMES SkyMiles # 0318 Platinum

FLIGHT	SEAT
DELTA 4990	080
DELTA 337	16D

Visit delta.com or use the Fly Delta app to view, select or change your seat. If you purchased a Delta Comfort+TM seat or a Trip Extra, please visit My Trips to access a receipt of your purchase.

Flight Receipt

Ticket #: 1197
Place of Issue: Issue Date: 06DEC20

Hello, Fontella Holmes

#9077970318 | Platinum Medallion®

Confirmation #: GG8RCC



The Delta CareStandard"

SEE HOW WE'RE SETTING THE STANDARD FOR SAFER TRAVEL AT EVERY STEP >

You're all set. If your plans change, you can cancel or modify your itinerary via MyTrips on delta.com prior to departure without any change fees.

WE'VE GOT YOU COVERED

As always, your safety is our top priority. That's why you'll experience a new standard of care on your upcoming trip. Our Delta CareStandard focuses on keeping surfaces clean, giving you more space, and offering safer service and personal care at every point in your journey.

Learn more about the steps we are taking to provide you with the safest experience. We also recommend packing your own food items, especially on longer flights, since many airport offerings are limited during this time. Please be sure to review TSA quidelines before bringing

EXHIBIT B



Portfolio By Wells Fargo®

Questions? Please contact us:

Wells Fargo Premier Banking Team [™]

Available 24 hours a day, 7 days a week
Telecommunications Relay Services calls accepted *Phone:* **1-800-742-4932**, *TTY:* 1-800-600-4833

Spanish: 1-877-727-2932

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A.

P.O. Box 6995

Portland, OR 97228-6995

December 31, 2020

Contents	Page
Overview	2
Wells Fargo Portfolio Checking	3
Other Checking/Prepaid	. 11
Savings and Retirement Savings	. 12

F MARIE HOLMES



Your Portfolio by Wells Fargo overview

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Important Account Information

"Your Portfolio by Wells Fargo overview" section of your statement is provided for informational and convenience purposes. The balances in the Overview section may not match your statement of record for credit and brokerage products due to differences in statement periods between this statement and the statement for your credit and/or brokerage products. The Overview shows activity and information from (1) deposit, credit, trust and foreign exchange accounts with Wells Fargo Bank, N.A., and (2) brokerage accounts with Wells Fargo Advisors, which is a trade name used by Wells Fargo Clearing Services, LLC, and Wells Fargo Advisors Financial Network, LLC, Members SIPC, registered broker-dealers and separate non-bank affiliates of Wells Fargo & Company; and (3) insurance products offered through non-bank insurance agency affiliates of Wells Fargo & Company and underwritten by unaffiliated insurance companies.

Investment and Insurance Products are:

- Not Insured by the FDIC or Any Federal Government Agency
- Not a Deposit or Other Obligation of, or Guaranteed by, the Bank or Any Bank Affiliate
- Subject to Investment Risks, Including Possible Loss of the Principal Amount Invested

Deposit products offered by Wells Fargo Bank, N.A. Member FDIC.

Other Wells Fargo Benefits

Please take a few minutes to review the accounts that are linked to your Portfolio by Wells Fargo program. To see the accounts that are linked to your Portfolio program, please go to the section of this statement titled "Your Portfolio by Wells Fargo Overview". Or, sign onto Wells Fargo Online and at the top of the Account Summary page, click on "Explore Program and Benefits", and this will take you to the Balance and Benefits page. To view the Balance and Benefits page from your mobile device, log into the Wells Fargo app and at the top of the Account Summary page, tap "Portfolio by Wells Fargo". Linked eligible accounts make up your Portfolio by Wells Fargo statement-ending qualifying balance and are used to determine if you are eligible to avoid the monthly service fee, and to get pricing discounts and other benefits. If you do not see all of the accounts you would like included in your Portfolio by Wells Fargo program, please contact your banker or call the number listed on the first page of this statement for assistance with linking the accounts.



Wells Fargo Portfolio Checking

Statement period activity summary

Account number:

F MARIE HOLMES

Wells Fargo Bank, N.A. (Member FDIC)

NORTH CAROLINA account terms and conditions

Questions about your account: 1-800-742-4932

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Transaction history

Deposits/ Withdrawals/ Ending Daily
Date Description Check No. Additions Subtractions Balance



Deposits/ Withdrawals/ Ending Daily
Date Description Check No. Additions Subtractions Balance

10.00		2.200
12/11	Purchase Authorized On 12/11 Paypal Theelephantinth VISA	50.50
12/11	Purchase Aumonzeo On 12/11 Paypal Theelephantinth VISA	103.20
14111	Direct CA 0458 Card 2180	103.20
	Direct CA 0458 Card 2180	1000
12/11	Purchase Authorized On 12/11 Paypal *Theelephantinth VISA	103.20
	Direct CA 2180	

12/11	Purchase Authoriz	eo On Tall Paypal " meelephantinth VISA	103.20
	Direct CA	0458 Card 2180	
12/11	Purchase Authoriz	eo On 12/11 Paypal *Theelephantinth VISA	103.20
	Direct CA	0057 Card 2180	
12/11	Purchase Authoriz	zed Un 12/11 Paypal *Theelephantinth VISA	51.75
	Direct CA	6940 Card 2180	
12/11	Purchase Authoriz	20 On 12/11 Paypal *Theelephantinth VISA	62.04
	Direct CA	4165 Card 2180	
12/11	Purchase Authoriz	eo On vz/11 Paypal *Theelephantinth VISA	46.61
	Direct CA	4785 Card 2180	
12/11	Purchase Aumoriz	eo On 12/11 Paypal *Theelephantinth VISA	51.75
	Direct CA	1602 Card 2180	



Date	Description	Check No.	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
12/14	Purchase Authorized On 12/11 Safeway.Com #1966			72.23	
12/14	253 638 7275 WA			148.05	
12/14	AR 1751 Card 2180 Purchase Authorized On 12/11 Walmart Grocery 800 966 6546			10.00	
	AR 8190 Card 2180				
12/14	Purchase Authorized On 12/11 Sp * Knotlesskay Httpsknotless MI			114.94	



	Date	Description	Check No.	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
287980		Case 7:21-cv-00017-D Document 12-6	Filed 02/11	/21 Page	e 16 of 23	



Ending Daily Balance Deposits/ Withdrawals/ Date Description Check No. . Additions Subtractions

Withdrawals/

Ending Daily

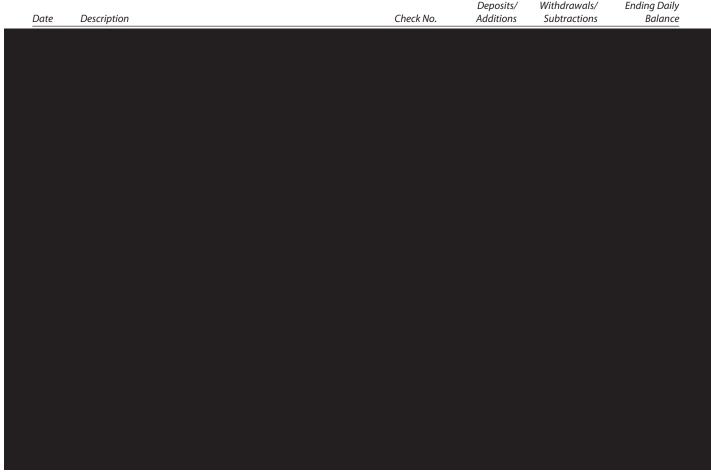
Deposits/



Wells Fargo Portfolio Checking (continued)

	Date	Description	Check No.	Additions	Subtractions	Balance
287982						





Key to symbols: < **Business to Business ACH:** If this is a business account, this transaction has a return time frame of one business day from post date. This time frame does not apply to consumer accounts.

Important Account Information

As a reminder, Portfolio by Wells Fargo monthly service fees are calculated using the combined month end balances of all qualifying accounts linked to your Portfolio by Wells Fargo program. If you do not meet the minimum balance requirements*, the standard monthly service fee of \$30 will be assessed to your primary checking account on about the 2nd business day following month end. This fee will appear in the transaction history section for the primary checking account on your next month end statement.

*\$25,000 in any combination of qualifying linked bank deposit accounts (checking, savings, time accounts (CDs), FDIC-insured IRAs) or \$50,000 in any combination of qualifying linked bank, brokerage (available through our brokerage affiliate Wells Fargo Advisors®) and credit balances (including 10% of mortgage balances).

Investment and Insurance Products are:

- Not Insured by the FDIC or Any Federal Government Agency
- Not a Deposit or Other Obligation of, or Guaranteed by, the Bank or Any Bank Affiliate
- Subject to Investment Risks, Including Possible Loss of the Principal Amount Invested

Deposit products offered by Wells Fargo Bank, N.A. Member FDIC.



Other Wells Fargo Benefits

The benefit of having no fee cashier's checks and money orders is no longer limited to only your primary Wells Fargo Portfolio Checking account within the Portfolio by Wells Fargo program. Those fees are waived if you have any qualified Consumer account that offers no fee cashier's checks or money orders as an account benefit.



Wells Fargo Everyday Checking

Account number:

F MARIE HOLMES

Wells Fargo Bank, N.A. (Member FDIC)

NORTH CAROLINA account terms and conditions

Questions about your account: 1-800-742-4932

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.



Wells Fargo Platinum Savings

Statement period activity summary

Account number:

FONTELLA M HOLMES

Wells Fargo Bank, N.A. (Member FDIC)

NORTH CAROLINA account terms and conditions

Questions about your account: 1-800-742-4932

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Transaction history

Deposits/ Withdrawals/ Ending Daily
Date Description Additions Subtractions Balance



Worksheet to balance your checking account

- 1. Go through your check register and mark each check (this includes cancelled, converted and substitute checks that may appear on your statement), withdrawal, ATM transaction, payment, deposit or other credit listed in the "Transaction history" section of your statement. Be sure your register shows any interest or dividends paid into your account and any service charges, automatic payments or transfers withdrawn from your account during this statement period.
- 2. Using the chart below, list any outstanding, converted or substitute checks, as well as any ATM withdrawals, payments or any other withdrawals (including any from previous months) which are listed in your register but are not shown on your statement.
- 3. Balance your account by filling in the spaces below.

◍	ENTER
Α	The "e

A The "ending balance" shown on your statement

ADD

Any deposits listed in your register or transfers into your account which are not shown on your statement

⇔ CALCULATE SUBTOTAL (Add parts **A** and **B**)

⇔ SUBTRACT

C Total of outstanding checks and withdrawals from the chart at right

© CALCULATE
ENDING BALANCE
(Part A + Part B - Part C)
This amount should be the same as the current balance shown in your check register.

\$	Items outstanding	I	
	Check number	Amount	
<u> </u>			
\$			
-\$ ◆			
ċ			
\$	Total	\$	

General statement policies for Wells Fargo Bank

- To dispute or report inaccuracies in information we have furnished to a Consumer **Reporting Agency about your** accounts. You have the right to dispute the accuracy of information that Wells Fargo Bank, N.A. has furnished to a consumer reporting agency by writing to us at Overdraft Collection and Recovery, P.O. Box 5058, Portland, OR 97208 5058. Please describe the specific information that is inaccurate or in dispute and the basis for the dispute along with supporting documentation. If you believe the information furnished is the result of identity theft, please provide us with an identity theft report.
- balancing your checking account, please report any differences to us as soon as possible but no later than within 30 days. Special provisions, including a reporting period of up to 60 days, apply if the difference involves an electronic funds transfer. These provisions are explained below.
- In case of errors or questions about your electronic transfers, telephone us at the number printed on the front of this statement or write us at Wells Fargo Bank, P.O. Box 6995, Portland, OR 97228 6995 as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.
- 1. Tell us your name and account number (if any).
- 2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
- **3.** Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

Deposit and credit products offered by Wells Fargo Bank, N.A., Member FDIC.



